

# Notice of Allowability

Application No.

09/858,043

Examiner

Arrienne M. Lezak

Applicant(s)

KURIHARA ET AL.

Art Unit

2143

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 16 November 2005.
2. ☒ The allowed claim(s) is/are 1.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 1.11.06.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
DAVID WILEY  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Thomas Basso, Attorney for Applicant on Wednesday, January 11, 2006.

The application has been amended as follows:

Claims 1-5

PLEASE DELETE

Please Add New Claim 6 as follows:

Claim 6

A content delivering method for transmitting a content file from a server managed by a content management company to a user terminal unit through a network, and for causing the user terminal unit to stream-produce the content file, the method comprising the steps of:

the content management company entering into a contract with a user to provide the user with the content file,

including a designated skip area that represents an important portion to the content file that an information provider desires the user to view,

and which designated non-skip area is managed and stored within a content library database,

and wherein, upon execution of the contract, the content management company assigns a user ID and password to the user;

the user connecting the user terminal to the network;

the content management company transmitting means by which authentication can be performed via the assigned user ID and password,

and wherein, upon authentication, the user is permitted to download the content file on a real-time streaming basis;

the content management company transmitting information of the non-skip area from the server to the user terminal unit along with the content file;

the data stream transmission causing the user terminal unit to determine whether or not the non-skip area has been skipped,

wherein when a determination is made that the non-skip area has been skipped, the user unit transmits information indicating that the non-skip area has been skipped to the server at the content management company;

wherein when the server receives the information from the user terminal unit indicating that the non-skip area has been skipped, the server at the content management company transmits to the user terminal via email, information corresponding to the non-skip area;

wherein the content library comprises a content creator information database, which database stores information representing a file of information that is delivered to the user in the event that a non-skip area has been skipped; and

wherein the non-skip information comprises user information, file ID, non-skip area and content creator information for each content information provider.

Please amend the specification as follows:

(Please delete from page 10, line 19) –“steaming”--

(Please insert at page 10, line 19) –The streaming reproduction—

(Please delete from page 10, line 21) –“steaming”--

(Please insert at page 10, line 21) –the streaming reproduction—

### ***Allowable Subject Matter***

The following is an examiner's statement of reasons for allowance:

After extensive searching and analysis of the best prior art in light of Applicant's claimed invention, Examiner finds that Lazaridis'694 requires the user to dedicate the non-skip areas, as opposed to Applicant's invention wherein the content management company or information provider designates the non-skip area.

Additionally, Examiner notes that continued search and consideration did not reveal art, which alone or in combination, would read upon Applicant's claimed invention.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

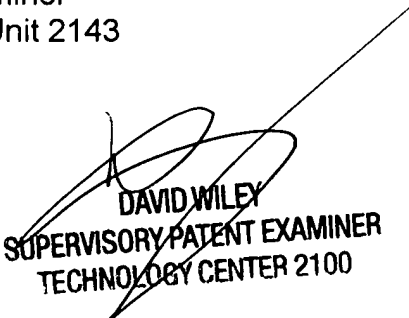
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arrienne M. Lezak whose telephone number is (571)-272-3916. The examiner can normally be reached on M-F 8:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571)-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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